

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Robert E. Denton

Case Number: 0980 2:08CR00094-RHW-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: September 30, 2009

Original Offense: Possession of 5 Grams or More of Cocaine Base, in the Form of Crack Cocaine,
21 U.S.C. § 844(a)

Original Sentence: Prison - 60 months; Type of Supervision: Supervised Release
TSR - 36 months

Revocation Sentence: Prison - 4 months
(September 6, 2016) TSR - Shall expire on
November 9, 2018

Asst. U.S. Attorney: Alison L. Gregoire

Date Supervision Commenced: December 16, 2016

Defense Attorney: Colin G. Prince

Date Supervision Expires: November 9, 2018

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/27/2017, and 4/12/17.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

4 **Mandatory Condition # 3:** The defendant shall refrain from any unlawful use of a controlled substance, including marijuana, which remains illegal under federal law. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: On December 19, 2016, Mr. Robert Denton signed his conditions of supervision relative to case number 2:08CR00094-RHW-1, indicating that he understood all conditions as ordered by the Court. Specifically, Mr. Denton was made aware by his U.S. probation officer that he was required to refrain from the use of illegal controlled substances.

Mr. Denton violated the terms of his supervised release by testing positive for cocaine while submitting to random urinalysis testing conducted by Alcohol Drug Education Prevention and Treatment (ADEPT) on April 20, 2017.

Re: Denton, Robert E

May 4, 2017

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Specifically, on April 21, 2017, the U.S. Probation Office in Spokane received notification from ADEPT that the client had presented to the facility as required on April 20, 2017, and had submitted a urinalysis sample for testing that was presumptive positive for cocaine. The undersigned officer did receive a drug use admission form with the initial results indicating that the client had denied the use of the illicit substance, contrary to the presumptive results.

On April 25, 2017, the U.S. Probation Office in Spokane received the lab confirmation from Alere Toxicology relative to the aforementioned urinalysis sample and observed that the sample had been confirmed as positive for cocaine and was identified as being a "dilute specimen." Mr. Denton has continued to deny any recent use of cocaine and has indicated he believes the positive result is residual from his previous admitted use of cocaine on or before April 5, 2017.

It should be noted that on May 1, 2017, the client reported to ADEPT and was able to provide a urinalysis sample for testing that was negative for all drugs tested.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 4, 2017

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other


Signature of Judicial Officer

5/5/2017

Date